

GOVERNMENT ADMINISTRATION & ELECTIONS COMMITTEE
PUBLIC HEARING – MONDAY, MARCH 10, 2014
Legislative Office Building – 1 p.m. Room 2B

RE: H.B. 5431 – AN ACT REQUIRING THE SUSPENSION OF ADMINISTRATIVE PENALTIES
IMPOSED BY CERTAIN BUSINESS ENTITIES

Submitted by: Joyce A. Wojtas – Mechanical Contractors Association of Connecticut

The Mechanical Contractors Association of CT (MCAC) cannot support this bill the way it is currently drafted. H.B. 5431 is a broad stroke of leniency to allow all state agencies, as defined, to suspend "ANY CIVIL PENALTY" assessed against any business entity for "VIOLATION OF ANY PROVISION" of a regulation for first-time violators who correct the violation within 30 days after a penalty is assessed.

Due to the fact that Connecticut businesses are overburdened with many unreasonable and outdated rules and regulations, the MCAC believes that there are many statutory and regulatory penalties that could and should be THOROUGHLY looked at in regards to the issue of "DOES THE VIOLATION EVEN WARRANT THE PENALTY?" and if so, "SHOULD FIRST-TIME VIOLATORS BE GIVEN A BREAK?", however, any legislation granting a state agency that power has to be more specific.

Years ago, the Legislative Committees of cognizance of the various state agencies spent the interim months in the non-election years reviewing their specific agencies' practices, procedures, rules and regulations then developing legislation to make needed improvements to keep Connecticut statutes and regulations up-to-date with changes to encourage economic development. That was even before the time that the committees had year-round full-time staff. That practice should be probably be reinstituted so that the legislature has some oversight of the bureaucracy and some control over exactly what violations should get a first-time break.

MCAC is strongly opposed to suspending any civil penalties especially for violations of Labor Laws, Occupational Licensing Laws and Workers Comp Laws, and Tax Laws. However, the failure of an employer to provide a certain number of spittoons on the factory floor (which was on our law books) or the failure of the small business owner to have his plumbing or electrical license number on his business stationary, does not warrant a civil penalty for first time offenders. Many rules and regulations with penalties attached do have an impact on public safety and others just keep businesses honest. It would be unfair to give the cheaters a first-time offense break at the expense of the honest business person who faithfully complies with the laws. Please remember, "ignorance is not bliss, nor is it an excuse. This bill should be more specific before it is reported out of this committee.

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